

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

ANY AND ALL FUNDS ON DEPOSIT IN :
ACCOUNT NO. 12671905, HELD IN THE :
NAME OF LANDLOCKED SHIPPING :
COMPANY AT WELLS FARGO BROKERAGE :
SERVICES, LLC, AND ALL INTEREST AND :
OTHER PROCEEDS TRACEABLE THERETO, :

ANY AND ALL FUNDS ON DEPOSIT IN :
ACCOUNT NO. 0578010886, HELD IN THE :
NAME OF LANDLOCKED SHIPPING :
COMPANY AT WELLS FARGO BANK, N.A., :
AND ALL INTEREST AND OTHER PROCEEDS :
TRACEABLE THERETO, and :

ONE MERCEDES S600 FOUR-DOOR SEDAN, :
BEARING VEHICLE IDENTIFICATION :
NUMBER WDBGA57G5XA421548, :

Defendants-in-rem. :

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NOTICE OF CROSS-MOTION TO STRIKE OR FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law of Plaintiff United States of America in Support of Its Cross-Motion to Strike or for Summary Judgment and in Opposition to Claimants' Motion for Summary Judgment, the accompanying Responses by Plaintiff United States of America to Claimants Landlocked Shipping Company and Dr. Jitka Chvatik's Local Civil Rule 56.1 Statement, the Local Civil Rule 56.1 Statement of Undisputed Material Facts in Support of Motion to Strike or for Summary Judgment of Plaintiff

United States of America, the Declaration of Amy Lester and the exhibits attached thereto, including the Affidavit of Robertson Park, and upon all the pleadings heretofore filed in this action, Plaintiff United States of America, by its attorney Preet Bharara, United States Attorney for the Southern District of New York, will move this Court, before the Honorable Harold Baer, United States District Judge for the Southern District of New York, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, on a date and time to be set by the Court, for an Order pursuant to Rule 56(b) of the Federal Rules of Civil Procedure, granting Plaintiff's motion to strike or for summary judgment, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York
November 23, 2009

PREET BHARARA
United States Attorney
for the Southern District of New York
Attorney for Plaintiff
United States of America

By: 
Amy Lester (AL-3398)
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
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CERTIFICATE OF SERVICE

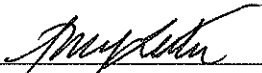
I, Amy Lester, depose and say that I am employed in the Office of the United States Attorney for the Southern District of New York.

That on November 23, 2009, I served one copy of the foregoing Notice of Cross-Motion to Strike or for Summary Judgment and all of the accompanying documents in support thereof by ECF and Federal Express on:

James E. Nesland, Esq.
Law Office of James E. Nesland LLC
14252 E. Caley Avenue
Aurora, CO 80016

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. § 1746.

Dated: New York, New York
November 23, 2009



Amy Lester